



ORIGINAL

THE UNITED STATES PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES

In Re Application of:

Thomas D. Petite

Serial No.: 08/825,576

Date Filed: March 31, 1997

For: **Transmitter for Accessing Automated
Financial Transaction Machines**

Examiner: Evans, Fannie L.

Art Unit: 2877

Confirmation No.: 1135

Docket No: 81607-1010

REPLY TO EXAMINER'S ANSWER

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In general, Applicant respectfully disagrees with the position taken by the Examiner in the Examiner's Answer. In this regard, Applicant relies upon the arguments advanced in the Appeal Brief filed October 31, 2003. However, Applicant offers the following additional comments in reply to the Examiner's Answer.

In general, the Examiner's Answer repeats the rejections as set forth in the Final Office Action in the above-referenced patent application. Accordingly, Applicant reasserts the arguments that were set out in the Appeal Brief. Applicant does wish, however, to provide a few additional points.

In supporting the rejection of claims 26-28, 30 and 31, the Examiner's Answer alleges "[t]he specification lacks a standard for determining/measuring the degree of power intended (low) in the claims. Low is a relative term and the use of the terminology 'low-power transmitter' in claims 29 and 30 does not distinguish the claimed transmitter over the wireless